

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT KENNEDY and RITA  
KENNEDY *Co-Administrators of the  
Estate of Erin Lynn Kennedy,  
deceased,*

Plaintiffs

v.

PAUL MEAGHER, JR. *Individually  
and d/b/a Meagher Insurance Agency  
(incorrectly named Meagher  
Insurance and Financial Services),*  
Defendant

3:10cv2338

(Judge Munley)

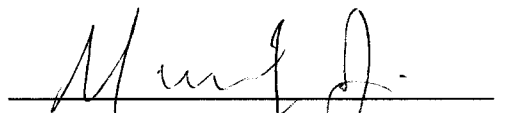
**ORDER**

AND NOW, to wit, this 11<sup>th</sup> day of December 2010, a review of the docket in the above-captioned matter reveals that the defendant filed a notice of removal on November 12, 2010. Defendant was originally served with the complaint on October 26, 2010. Thus, more than twenty-one days have elapsed since the service of the initial pleading and more than seven days have passed since the filing of the notice of removal. See FED. R. CIV. P. 81(c). It is the responsibility of the plaintiff to prosecute an action. In light of the inactivity in this litigation since the filing of the complaint, with no answer made on behalf of the defendant,

**IT IS HEREBY ORDERED THAT:**

- (1) Within ten (10) days from the date of this order, plaintiff shall make an appropriate filing to further this action; and
- (2) Failure to comply with this order will result in the dismissal of this action for failure to prosecute.

**BY THE COURT:**



**JUDGE JAMES M. MUNLEY**  
United States District Court